

FISCAL NOTE

SB 106

March 29, 2007

SUMMARY OF BILL: Broadens the Class C felony offense of aggravated assault to include strangulation of a disabled, pregnant or elderly person, regardless of actual physical injury.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$217,500 / Incarceration*

Assumptions:

- In FY06, the Department of Correction (DOC) had 964 admissions for aggravated assault. This estimate assumes that 10 percent (96) of those would have been reduced to a misdemeanor charge because the offense did not result in serious bodily injury to the victim. Ten percent of those (10) would have involved a disabled, pregnant or elderly person and would be convicted of a Class C felony offense in the first year as a result of this bill.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years. Population growth would result in one additional person in the tenth year. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on 11 offenders serving 0.9 years (328.73 days).
- According to DOC, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The cost per inmate at 0.9 years is \$19,776.40 (\$60.16 x 328.73 days). The total additional operating cost for 11 offenders in the tenth year is \$217,540.40 (\$19,776.40 x 11).

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director